IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 25966 of 2007(N)

PETITIONER:

BISHOP OF KOLLAM, CATHOLIC DIOCESE,
REPRESENTED BY POWER OF ATTORNEY HOLDER,
FR. GEORGE REBEIRO, FINANCIAL ADMINISTRATOR,
CATHOLIC BISHOP'S HOUSE, KOLLAM.

BY ADV. SRI.ROY CHACKO

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, KOLLAM.

2. THE TAHSILDAR, TALUK OFFICE,
KOLLAM.

3. THE VILLAGE OFFICER,
VILLAGE OFFICE, ADICHANALLOOR.

4. SMT. BARBARA ALLERSE,
PUNNAMOOTTIL VEEDU, THAZHATHUCHALACHERRY,
ADICHANALLOOR VILLAGE, KOTTIYAM,
KOLLAM DIST.

5. SOBHITHA, BISMI MANZIL,
THAZHUTHALA, ADICHANELLOOR, KOLLAM.

6. THAJUDHEEN, KANIYATTAZHIKOM VEEDU,
THAZHUTHALA, ADICHANELLOOR, KOLLAM.

7. THANHAJ, KANIYATTAZHIKOM VEEDU,
THAZHUTHALA, ADICHANELLOOR, KOLLAM.

8. MANHAJ,(MINOR), REPRESENTED BY HIS
FATHER AND GUARDIAN THAJUDHEEN,
KANIYATTAZHIKOM VEEDU, THAZHUTHALA,
ADICHANELLOOR, KOLLAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.25966 OF 2007

DATED THIS THE 24th DAY OF AUGUST, 2007

JUDGMENT

The petitioner is aggrieved by Ext.P6 order of the District Collector by which certain lands allegedly belonging to the petitioner has been ordered to be assigned in favour of the 4th respondent. There has been a series of litigations in respect of the property. According to the petitioner in all those litigations the petitioner has come out successful and therefore, the present order is totally unsustainable.

2. However, I find that the petitioner has a right of appeal before the Commissioner of Land Revenue under Rule 21 of the Kerala Land Assignment Rules. Therefore, I am not inclined to consider the contentions of the petitioner at present. The petitioner may, if so advised, file an appeal before the Land Revenue Commissioner as provided under the Rules. If the same is so filed, the Land Revenue Commissioner shall consider the same and pass appropriate orders in accordance with law. To enable the petitioner to file an appeal and move the Land Revenue Commissioner, I direct that further proceedings pursuant to Ext.P6 shall be kept in abeyance for a period of two weeks. Needless to say, while disposing of the appeal to be filed by the petitioner, the Land Revenue Commissioner shall afford an

opportunity of being heard to the petitioner as well as the 4th respondent.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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